

SENATE BILL 159

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2001 Regular Session
11r0891
CF 11r1787

By: **Senator Harris**

Introduced and read first time: January 18, 2001

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Real Property - Condemnation - Retention of Property**

3 FOR the purpose of prohibiting the State, a county, or a municipal corporation that
4 acquires title to property by condemnation for certain purposes from selling,
5 leasing, or otherwise transferring the property for a certain period.

6 BY repealing and reenacting, with amendments,
7 Article - Real Property
8 Section 12-108
9 Annotated Code of Maryland
10 (1996 Replacement Volume and 2000 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article - Real Property**

14 12-108.

15 (a) On payment of the judgment and costs by the plaintiff pursuant to the
16 provisions of Title 12, Chapter 200 of the Maryland Rules, the plaintiff immediately
17 shall become vested with the title, estate, or interest of the defendant in the
18 condemned property.

19 (b) The title acquired in a condemnation proceeding shall be an absolute or
20 fee-simple title including the right, title, and interest of each of the defendants in the
21 proceeding whose property has been condemned unless a different title is specified in
22 the inquisition.

23 (C) NOTWITHSTANDING SUBSECTION (B) OF THIS SECTION, IF THE STATE, A
24 COUNTY, OR A MUNICIPAL CORPORATION ACQUIRES TITLE TO PROPERTY THROUGH
25 CONDEMNATION PROCEEDINGS AS PROVIDED UNDER THIS SUBTITLE, OTHER THAN
26 FOR PURPOSES OF PUBLIC HEALTH OR PUBLIC SAFETY, THE STATE, THE COUNTY, OR
27 THE MUNICIPAL CORPORATION MAY NOT SELL, LEASE, OR OTHERWISE TRANSFER
28 THE PROPERTY FOR A PERIOD OF AT LEAST 30 YEARS.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2001.